

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

July 9, 2003

In Reply Refer To:
Tampa Electric Company
Docket No. ER03-48-000

Thompson Hine LLP
Attention: Peter C. Lesch, Esq.
Attorney for Tampa Electric Company
1920 N Street, N.W., Suite 800
Washington, DC 20036-1600

Dear Mr. Lesch:

1. On May 5, 2003, you filed a Settlement Agreement among Tampa Electric Company (Tampa Electric), Seminole Electric Cooperative, Inc., Florida Municipal Power Agency, Reedy Creek Improvement District, and, acting jointly, Calpine Energy Services, L.P., Auburndale Power Partners, L.P., Auburndale Peaker Energy Center, L.L.C., and Calpine Construction Finance Company, L.P. On May 20, 2003, you filed an amendment to the Settlement Agreement that had been agreed to by the same parties.
2. On May 21, 2003, the Commission Trial Staff submitted comments in support of the settlement. No other comments were received. On June 2, 2003, the Settlement Judge certified the uncontested settlement to the Commission.
3. The settlement is in the public interest and is hereby approved. The Commission's approval of this settlement does not constitute approval of, or precedent regarding, any principle or issue in this proceeding, except insofar as such approval sanctions the resolution of the acquisition adjustment issue as provided in Article II of the Settlement Agreement. The Commission retains the right to investigate the rates, terms, and conditions under the just and reasonable and not unduly discriminatory or preferential standard of Section 206 of the Federal Power Act, 16 U.S.C. § 824e (2000).
4. In accordance with the settlement, within sixty (60) days from the date of this letter, any amounts collected in excess of the settlement rates shall be refunded together with interest computed under 18 C.F.R. § 35.19a (2003) of the Commission's regulations. Within fifteen (15) days after making such refunds, Tampa Electric shall file with this Commission a compliance refund report showing monthly billing determinants, revenue receipt dates, revenues under the prior, present, and settlement rates, the monthly revenue

refund, and the monthly interest computed, together with a summary of such information for the total refund period. Tampa Electric shall furnish copies of this report to the affected wholesale customers and to the Florida Public Service Commission.

5. This letter order terminates Docket No. ER03-48-000. New subdockets will be assigned to Docket No. ER03-48 upon receipt of Tampa Electric's compliance filing provided for in the settlement and the compliance refund report.

By direction of the Commission.

Linda Mitry,
Acting Secretary.

cc: All Parties

Florida Public Service Commission
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